

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO.: 1:22-23232-CIV-WILLIAMS/REID

**GARY CATENAC, AYANA KNOWLES,
FRANK HAMMOND, ALEXANDER
OKWALI, and, HARRY GARCIA individually
and as representatives of a class of participants
and beneficiaries on behalf of the Lennar
Corporation 401(K) Plan,**

Plaintiffs,

vs.

LENNAR CORPORATION,

Defendant.

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY

Pursuant to Local Rule 7.8, Plaintiffs respectfully submit the attached decision from the Sixth Circuit Court of Appeals in *Parker, et al v. Tenneco, Inc., et al*, No. 23-1857, 2024 WL 3873409, (6th Cir. August 20, 2024).

Plaintiffs are filing this Notice of Supplemental Authority to support the arguments on pages seven (7) through page eleven (11) of their Response (Doc. 30), that the unambiguous statutory language of ERISA allows a single plaintiff to obtain plan-wide relief. Thus, the Court should rule similarly that the arbitration provision is unenforceable because it would prevent Plaintiff from pursuing the Plan-wide remedies Sections 409(a) and 502(a)(2) of ERISA unequivocally provide. A copy of the *Parker* decision is attached hereto as Exhibit A.

Dated this 22nd day of August, 2024.

Respectfully submitted,

/s/ Brandon J. Hill

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of August, 2024 the foregoing was electronically filed with the Clerk of the Court via the CM/ECF system, which will send a notice to all counsel of record.

/s/ Brandon J. Hill

BRANDON J. HILL